

Appl. No. 09/872,877
Amdt. Dated April 29, 2004
Reply to Office action of February 3, 2004
Attorney Docket No. P14975-US1
EUS/J/P/04-3096

REMARKS/ARGUMENTS

Amendments

The Applicants have amended claims 2; 8 and 12; claims 1, 3, and 13-14 have been canceled and claim 15 has been added. Accordingly, claims 2, 4-12 and 15 are pending in the application. The Applicants respectfully submit that no new matter has been added. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1-9 and 11-14 are rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 6,662,017 issued to McCann *et al.* (hereinafter McCann). Claims 1, 3 and 13-14 have been canceled rendering the rejection of those claims moot. The Applicants respectfully traverse the rejection of the remainder of these claims.

The present invention discloses a method for provisioning a short message service when different SS7 signaling networks are in use. The method can be used when mobile units are roaming in a SS7 network different than the MS home network, and when the MS is roaming inside or outside of its SS7 type of network. The HLR in the "roamed" network has a database of country code and point code schemes and knows the location of the MS and the external requesting node. The HLR analyzes the SMS Address to determine if the MSC is in a different SS7 network, i.e., a different country. The present invention allows the HLR to determine the proper address from this database for the MSC or VLR serving the MS when requested by an external node.

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The HLR compares the MSC's REGNOT point code and MSCIN country code with the country code in the MC's SMSREQ calling party address to determine whether the MC and MSC point codes are the same. If they are the same, the smsreq is populated with the common point code from the SMS Address. If not the same, the smsreq is populated with the MSCIN parameter.

McCann appears to teach a porting controlled routing (PCR) node for efficient routing signaling messages associated with a mobile subscriber that has been ported in or out of a service provider's wireless communications network. The PCR node includes rule databases that increase flexibility by locating mobile identification numbers among multiple mobile service nodes. McCann focuses on message processing to determine whether or not the message is for a ported number and whether or not it needs further processing. Therefore, McCann cannot deal with selective routing of SMS messages based on a matching of point code schemes of a serving MSC and the originating messaging Center, as claimed in amended independent claim 2. This being the case, the Applicants believe that amended claim 2 is patentable over the McCann reference. Further, claims 4-12 depend directly or indirectly from independent claim 2 and contain the same novel limitations. The Applicants respectfully request the withdrawal of the rejection of claims 2 and 4-12.

Claim Rejections – 35 U.S.C. § 103 (a)

Claim 10 is rejected under 35 U.S.C § 103(a) as being unpatentable over McCann in view of Shmulevich *et al.* (US 6,515,985, hereinafter Shmulevich). The Applicants respectfully traverse the rejection of this claim.

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The Shmulevich reference is cited for providing a point code scheme according to ITU standard Q.700. However, Shmulevich does not recite the limitations found in independent claim 2, that of the selective routing of SMS messages based on a matching of point code schemes of a serving MSC and the originating messaging Center. This being the case, the Applicants respectfully assert that the Shmulevich reference and the McCann reference, individually or in combination, do not teach or suggest selective routing of SMS messages based on matching point code schemes of a serving MSC and the originating messaging center. The Applicants respectfully request that the rejection of this claim be withdrawn.

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CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for Claims 2, 4-12 and 15.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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